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Amazon.com, Inc.

14  
15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO COURTHOUSE

18 MASTEROBJECTS, INC.,  
19 Plaintiff,  
20 vs.  
21 AMAZON.COM, INC.,  
22 Defendant.

Case No. 3:20-cv-08103-WHA

Judge William Alsup  
Courtroom: 12

**DECLARATION OF SCOTT SANFORD  
ISO AMAZON'S OPPOSITION TO  
MASTEROBJECTS' MOTION TO  
DISQUALIFY**

1 I, Scott Sanford, declare as follows:

2 1. I am an attorney duly licensed to practice in the State of California. I make this  
3 declaration in support of Amazon's Opposition to MasterObjects' Motion to Disqualify. I have  
4 personal knowledge of the facts set forth in this declaration and, if called as a witness, could and  
5 would testify competently to such facts under oath.

6 2. I was admitted to the State Bar of California on December 1, 2000.

7 3. After graduating from law school, I joined Fliesler, Dubb, Meyer & Lovejoy, LLP  
8 (FDML) in October of 2000. I worked at FDML as a first-year associate and for part of my second  
9 year. I remained at FDML for approximately 18 months before laterally moving to O'Melveny & Myers  
10 LLP in April of 2002. I laterally moved to O'Melveny & Myers because Mark Miller, a partner at FDML  
11 when I worked there, for whom I worked, left for O'Melveny & Myers.

12 4. Prior to joining FDML, I was a law student at Golden Gate University, School of Law.  
13 Prior to law school, I worked as an engineer on electrical distribution systems at Westinghouse  
14 Electric Company. To my knowledge and recollection, I was the only associate at FDML with a  
15 background in mechanical engineering.

16 5. Because of my undergraduate degree and experience in mechanical engineering and  
17 electrical systems, my work at FDML focused on non-software matters. During my time at FDML,  
18 I do not recall working on any software-related matters. To the best I can recall, the clients I worked  
19 for were Asyst Technologies, Inc. (relating to semiconductor wafer handling systems), and other  
20 small mechanical clients.

21 6. During my brief tenure as a junior associate at FDML, I recall primarily working for  
22 two partners: Mark Miller (who had a physics degree) and Sheldon Meyer (who had an engineering  
23 degree). My work for Asyst Technologies, Inc., was with Mr. Miller. With Mr. Meyer, I worked on  
24 other small mechanical clients, including a medical device company.

25 7. Partners at FDML were largely siloed from each other, working with associates to  
26 service their individual clients. Junior associates were largely tasked specifically to partners with  
27 similar expertise. As stated above, I recall working with Mark Miller and Sheldon Meyer.

28 8. While at FDML, I did not work on any matters for MasterObjects or Mark Smit. I

1 did not in any way render any legal advice or services to either of them, or perform any work on their  
2 behalf. Nor have I since.

3 9. While at FDML, I did not know that MasterObjects or Mark Smit were a firm client.  
4 I have no recollection of ever having heard of MasterObjects or Mark Smit during my time at FDML.

5 10. While at FDML, I was never in possession of, accessed, or acquired MasterObjects'  
6 information (confidential or not).

7 11. While at FDML, I did not work on any MasterObjects matters with Karl Kenna or  
8 Martin (Marty) Fliesler (who is now deceased). Indeed, I do not recall working on any matters with  
9 either Mr. Kenna or Mr. Fleisler. I understand that Mr. Kenna, who was a patent agent during my  
10 time at FDML, focused on software matters, while I focused on matters related to semiconductors,  
11 semiconductor wafer handling systems, medical devices, and other non-software technologies.

12 12. I have never discussed MasterObjects, Mr. Smit, or anything related to the patents-in-  
13 suit with Mr. Fliesler or Mr. Kenna.

14 13. I understand that MasterObjects has claimed that the attorneys of FDML "frequently  
15 had all-hands meeting[s], and naturally talked about their work." My recollection of the "all-hands  
16 meetings" is that they involved presentations of public developments in the law, such as recent case  
17 opinions that would impact how patent attorneys should draft claims. The purpose of those meetings,  
18 as I remember them, was educational. I do not recall ever discussing a client at a FDML "all-hands  
19 meeting." I do not recall ever receiving any MasterObjects confidential information during any such  
20 meeting.

21 14. While at FDML, I did not access files for clients other than those whose matters I was  
22 staffed and working on. If I was not on a particular matter, I did not have any reason to access those  
23 files.

24 15. While at FDML, I had no administrative or management duties that would have  
25 exposed me to MasterObjects' confidential information.

26 16. The first time I realized that MasterObjects was a client of FDML (specifically, Marty  
27 Fliesler and Karl Kenna) during the 2001-2002 timeframe was earlier this year, when I learned of  
28 MasterObjects' threat to disqualify myself and Hueston Hennigan from this litigation for a perceived

1 conflict of interest.

2       17. I understand that MasterObjects has accused me of wrongdoing, because FDML is  
3 not listed on my LinkedIn profile. I did not remove FDML from my LinkedIn profile as a result of  
4 or in response to this litigation. I did not remove FDML from my LinkedIn profile in any attempt to  
5 hide from opposing counsel my prior employment at that law firm. Instead, to the best of my  
6 knowledge, FDML has not been on my LinkedIn profile since long before this litigation commenced.  
7 I have no specific recollection of leaving it off, and if I did so, I did it inadvertently. I was surprised  
8 when I learned—as a result of MasterObjects’ recent allegation—that it was not listed. I note that I  
9 do not pay close attention to my LinkedIn profile. In fact, it currently has my “title” listed incorrectly  
10 for the first five years of my employment at Amazon. From December 2009 through January 2015,  
11 I was a Senior Corporate Counsel at Amazon, not a “Patent Attorney.” In addition, when I list my  
12 employment at Westinghouse, my LinkedIn profiles says that my location was in San Francisco/the  
13 Bay area for the duration of my employment there. In fact, for two years of my employment at  
14 Westinghouse, I was located in Houston, Texas.

15       18. At no time during this litigation have I intentionally hidden my prior employment by  
16 FDML from anyone.

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18 I declare under penalty of perjury that the foregoing is true and correct.

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Executed on February 15, 2022.

*Scott Sanford*

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Scott Sanford